



# TEXAS JUVENILE JUSTICE DEPARTMENT

## Virtual Board Meeting

<https://www.tjld.texas.gov/index.php/board#board-meetings>

Friday, September 25, 2020 – 9:00 a.m.

### **Call to order**

Chairman Ritchey called the meeting to order at 9:00 a.m. and led the board prayer.

### **Discussion, consideration, and possible approval regarding excused absences (Action)**

Mona Lisa Chambers, Ann Lattimore, and Allison Palmer were absent. Commissioner Morales moved to approve their absences. Chief Matthew seconded. The motion passed.

### **Report from the chairman**

Chairman Ritchey thanked those who were able to attend. He stated the October meeting will also be virtual but we are planning to meet in person after that. We are currently working on the 2021 meeting dates. He thanked the staff for their hard work on the LAR.

### **Public comments**

There were no public comments.

### **Report from the Executive Director**

Camille Cain, Executive Director, stated that today, we are together to talk about the Legislative Appropriations Request. First, I'll provide an update on COVID-19.

As you may be aware, TJJD has 3 levels of COVID awareness for our campuses. As of this morning, all non-secure facilities are Level 1, meaning that they are all COVID-19 free. This has been the case since September 9 when we cleared a staff member. Prior to that case, the last report was for a staff member for July 29. At our secure facilities, we have 2 that are currently Level 1. Again, this means they are COVID-19 free. To achieve this level, we must clear all staff and youth cases and have no new reported cases for a full 7 days after.

- Gainesville holds the record so far by holding this status since August 6.
- Evins has been Level 1 since September 16.
- Ron Jackson achieved Level 1 status on September 17 but since then reported a single case of a staff member and so has been moved back to Level 2.
- Giddings is currently COVID-19 free and in the waiting period to become Level 1. If no new cases are reported, that will happen on Sunday.
- Mart currently has 2 reported staff members and 1 youth who are COVID-19 positive. As a result, this campus is Level 2. Level 2 means that the campus has a small number of cases as measured by fewer

than 5% of the youth or 5% of the staff are COVID-19 positive or that the total number of cases on a campus is less than 10, whichever is lower.

- Overall, today, in all TJJD facilities, we have 4 active cases—3 at Mart and 1 at Ron Jackson.

And now on to the LAR. Emily will also present and answer your questions but I will walk you through the major exceptional items at a high-level.

TJJD has prepared a Texas Model Plan for Reform, which sets out a longer-term plan and correlates to the LAR. We have broken down our asks into three categories: Sustain, Enhance, and Innovate to better categorize our asks so that people can understand our priorities.

We begin with 3 basic goals:

- Youth remain as shallow in the system as possible with access to the right services
- Focus on needs and risks of youth
- Provide better solutions to growing mental health and specialized treatment needs

Exceptional item 1—or sustain—includes requests to maintain our current level of care for youth in the system including:

- Restoring capabilities for prevention, intervention, and commitment diversion for probation
- Maintaining basic state services
- Restoring the needed level of state contract care options
- Securing capability to provide required risk and needs assessments for youth at the probation level, and
- Modernizing our IT systems.

Our full ask for this exceptional item is: **\$26,010,414**

Exceptional items 2—or enhance—includes requests to provide new services and levels of care based on risks and needs, including:

- Enhancing probation options through more sustainable state-level funding to allow departments to focus on what is important to them and to be able to sustain what they have and build new local and regional options
- Improving the ability to maintain state staff staffing with salaries that match the work, and
- Continuing our new classification system of state youth to better focus services by enabling enhanced staffing ratios at Evins to accommodate the continuing Violence Intervention Continuum

Our full ask for this exceptional item is: **\$83,812,473**

Exceptional item 3—or innovate—includes requests to modernize the system and meet emerging needs and risks, including:

- Meeting the needs of specialized populations in smaller settings with enhanced staffing ratios while lowering populations at existing facilities
- Providing added reentry, aftercare, and family support at state and county levels, and
- Enabling emergency placements for youth in mental health crises and greater collaboration capabilities at the county and regional levels

Our full ask for this exceptional item is: **\$88,435,362**

Wrapped within the concept of innovation, is continuing to implement the Texas Model of Intervention within our facilities. We are not asking for new funds to be able to do this.

This brings our total ask to **\$198,258,249**.

#### **Report from the Chief Inspector General**

For the record, Forrest Mitchell, Chief Inspector General. Mr. Chairman, I would like to provide the board with a brief update about the status of OIG operations.

Despite COVID-19, OIG is continuing to conduct its on-site administrative investigations of abuse, neglect, and exploitation at county and contract care facilities.

Additionally, OIG criminal investigators continue to investigate allegations of criminal offenses and delinquent conduct at state and contract care juvenile facilities. The Incident Reporting Center continues to receive COVID-19 related calls in addition to the regular reports of serious and critical incidents and abuse, neglect, and exploitation complaints. COVID-19 has impacted OIG's ability to meet some of our performance measures.

The OIG fugitive apprehension numbers were down during this past fiscal year, as well as were the numbers of closed state administrative and criminal investigations.

We also saw a modest decline in the total number of calls to made into the IRC.

At the beginning of the COVID-19 pandemic, much of the OIG investigative staff assisted in performing the additional screening duties at the TJJD secure facilities.

This of course, impacted our ability to conduct routine operations and consequently some investigations and operations were delayed, postponed, or cancelled in response to the pandemic.

Now that facility staff and temporary employees are assisting the OIG uniformed security personnel, the need for additional staffing has been reduced.

As a cost savings measure to meet the 5% reduction for this biennium, OIG has cancelled replacement vehicles, suspended paid overtime, restricted take home vehicle use to only K-9 officers, reduced travel, training, and other operational costs.

Additionally, we will be carrying a number of vacant positions in OIG in order to realize salary savings to meet that reduction.

Recruitment, retention, and attrition remain one of my highest concerns. OIG wages have not been able to keep pace with other state law enforcement agencies, as well as in some of the local jurisdiction where we have our regional offices.

That being said, I would like to now brief the Board on the OIG L.A.R. and its exceptional item request.

There have been some changes to the organization and structure of the OIG strategy.

Previously, portions of the OIG were found in different strategies and goals, more specifically Goal 2 and Goal 5.

For the new biennium, those have now been combined into one Goal, Goal 7, with the performance measures remaining consistent. As part of the LAR process for next biennium, we were tasked with incorporating the 5% cut into a new baseline. Unfortunately, this baseline reduction to the OIG budget cannot be achieved without staffing reductions. OIG has already trimmed operational costs, and little more can be achieved without significantly impacting operations.

Therefore, if OIG is unable to restore the 5% baseline reduction through the first exceptional item request, I am anticipating that I will need to reduce my staff by four commissioned peace officer investigator positions, and potentially two uniformed security officers. (\$276,194 annual savings)

In addition to this exceptional item request to restore the 5% baseline reduction, the OIG has prepared some additional exceptional item requests that I would like to brief you on.

The first exceptional item request was for 3 additional FTE to serve as commissioned peace officers serving as fugitive apprehension specialists. These investigators will focus on human trafficking prevention. Domestic minor sex trafficking is a real and serious concern for some of our parolees, and these investigators would prioritize those TJJD committed juveniles that are transitioning to parole, halfway houses, and release in an effort to prevent HT. They would also collaborate with the various HT task forces and units throughout Texas to reduce this potential. (FY 22 - 291,726 / FY23 - 159,726)

The next exceptional item request is for system improvements to the Incident Reporting Center, including 7 additional FTE positions. The recent report by the State Auditors Office highlighted some needed improvements in tracking all complaints and dispositions received by the Department, and OIG is seeking to hire more telecommunications operators, analysts, and other positions to support that operation. (FY 22 & 23 - 376,523)

The next exceptional item request is for C pay scale parity with other state law enforcement agencies, and to remain competitive with law enforcement salaries in Texas. We are in some challenging times, and there has been a paradigm shift in law enforcement recruitment, retention, and attrition. Where we once saw attrition rates as low as 2 or 3 % annually, many agencies are now seeing double digit rates with twice as many retirements as they once had. As part of that trend, OIG attrition rates have been roughly 20% for the past two years. This request is seeking additional funds to raise OIG law enforcement salaries to their peers. OIG attrition is damaging to the overall operations and safety in juvenile facilities through delays in investigations, increased overtime costs, and periods of alternative work assignments while allegations are being investigated in all type of juvenile justice facilities. Though we have worked hard to realize efficiencies in OIG staffing and positions, downgrading positions when we could, absorbed other duties as need, we still aren't there yet. We need some additional funds keep the specialized investigators that we have trained and developed at OIG (FY 22 & 23 - \$839,272)

Finally, the last exceptional item is to request additional funding for vehicle replacement. As I discussed earlier, OIG cancelled most of its scheduled fleet replacement to realize the 5% savings reduction this biennium. The OIG fleet continues to age with some vehicles reaching, and anticipated to reach, 200,000 miles in the next biennium. The funds will allow OIG to acquire new vehicles and equip them with the necessary public safety equipment for law enforcement operations.

#### **Report from the Chief Financial Officer**

Emily Anderson, Chief Financial and Operations Officer, presented.

The total biennial base request for 2022 and 2023 is \$631 million, of which \$591.4 million is General Revenue. This is equal to the general revenue budget for the current biennium and includes a \$21.9M base level cost reduction to mirror the cost reduction required for the FY 20/21 biennium. The base request supports a total state residential projected population of 987 in 2022 and 945 in 2023. These projections are developed by the Legislative Budget Board and are 34% lower than the appropriated population for FY 21.

Funding for Probation activities total \$311.9M and includes a base level funding reduction of \$7.4M from the current biennium's original appropriation. The base level reduction completely eliminated Prevention and Intervention grant funding (\$6M) and decreased funding for Commitment Diversion grant funding (\$1.4M).

Funding for State Services and Facilities totals \$264.2m. This is equal to current biennium's expenditure estimates.

Parole activity funding is 7.1M and is slightly lower than current biennium expenditure estimates. The decrease is due to the Parole division identifying and implemented cost savings initiatives.

And funding for system wide training/monitoring and central administration activities totals \$35M. This is a decrease of \$3.8M from the current biennium expenditure estimates and is due to the elimination of vacant non-direct care positions, downsizing of central office and other cost savings measures the agency has taken to meet the funding reduction obligations.

TJJD is requesting 3 exceptional items totaling \$198.3 million.

I have prepared summaries for each of the exceptional items but since Camille just reviewed them in detail, I will not go over them again.

Emily Anderson stated a resolution has been prepared to authorize the chairman to approve the final LAR submission which is due on Friday, October 2nd.

#### **Discussion, consideration, and possible approval regarding TJJD's Legislative Appropriations Request (LAR) for the FY2022-23 Biennium (Action)**

Chairman Ritchey stated that you've heard from Camille and Emily regarding the LAR. Chief Matthew moved to approve the resolution. Judge Jarrett seconded. The motion passed.

#### **Adjourn**

Chairman Ritchey adjourned the meeting.